

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-FILING

PATRICIA CLAIRE BANKSTON

SUMMONS IN A CIVIL CASE

CASE NUMBER:

V.
PATENAUDE & FELIX, A PROFESSIONAL
CORPORATION, and RAYMOND ALCIDE
PATENAUDE

C07 03396

JW

PVT

TO:

Raymond Alcide Patenaude
Patenaude & Felix, APC
4545 Murphy Canyon Road, 3rd Floor
San Diego, California 92123-4363

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY

Fred W. Schwinn, Esq.
Consumer Law Center, Inc.
12 South First Street, Suite 416
San Jose, CA 95113-2404

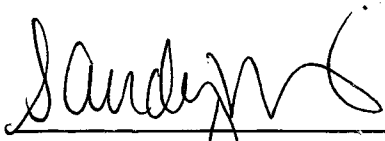
an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

RICHARD W. WIEKING

CLERK

6-28-07

DATE


(BY) DEPUTY CLERK

SANDY MORRIS

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Fred W Schwinn, 225575 CONSUMER LAW CENTER 12 S 1ST ST STE 416 SAN JOSE, CA 95113-2404 TELEPHONE NO.: (408) 294-6100 ATTORNEY FOR (Name): Plaintiff	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF United States District Court 280 S. First St. #2112 San Jose, CA 95113-3008	
PLAINTIFF/PETITIONER: Patricia Claire Bankston DEFENDANT/RESPONDENT: Patenaude & Felix, APC, et al.	CASE NUMBER: C07-03396-JW-PVT
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.: Bankston v. Patenaude & Felix

1. At the time of service I was a citizen of the United States, at least 18 years of age and not a party to this action.
2. I served copies of: Summons In A Civil Case; Complaint; Order Setting Initial Case Management Conference and ADR Deadlines; Standing Order Regarding Case Management In Civil Cases; Contents of Joint Case Management Statement; ADR Package

BY FAX

3. a. Party served: Raymond Alcide Patenaude

b. Person Served: Gloria Penaloze - Person In Charge - Person in Charge of Office

4. Address where the party was served: 4545 Murphy Canyon Road 3rd Floor
San Diego, CA 92123

5. I served the party

b. **by substituted service.** On (date): July 5, 2007 at (time): 9:23 am I left the documents listed in item 2 with or in the presence of: Gloria Penaloze - Person In Charge

(1) **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.

(4) A declaration of mailing is attached.

(5) I attach a declaration of diligence stating actions taken first to attempt personal service.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a. as an individual defendant.

7. **Person who served papers**

- a. Name: Juan Madrigon
- b. Address: One Legal, Inc. - 132-Marin
504 Redwood Blvd #223
Novato, CA 94947
- c. Telephone number: 415-491-0606
- d. The fee for service was: \$: 85.75
- e. I am:

(3) registered California process server.

(i) Employee or independent contractor.

(ii) Registration No.: 1359

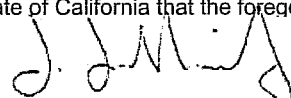
(iii) County SAN DIEGO

8. I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Date: July 10, 2007

Juan Madrigon

(NAME OF PERSON WHO SERVED PAPERS)



(SIGNATURE)

Fred W Schwinn, 225575
CONSUMER LAW CENTER
12 S 1ST ST STE 416
SAN JOSE, CA 95113-2404

(408) 294-6100

Ref. No. or File No.

Bankston v. Patenaude & Felix

ATTORNEY FOR (Name): Plaintiff

Insert name of court, judicial district or branch court, if any:

United States District Court
280 S. First St. #2112
San Jose, CA 95113-3008

PLAINTIFF:

Patricia Claire Bankston

DEFENDANT:

Patenaude & Felix, APC, et al.

**DECLARATION OF
DILIGENCE**

CASE NUMBER:

C07-03396-JW-PVT

received the within process on July 1, 2007 and that after due and diligent effort I have been unable to personally serve said party. The following itemization of the dates and times of attempts details the efforts required to effect personal service. Additional costs for diligence are recoverable under CCP §1033.5 (a)(4)(B).

PARTY SERVED: Raymond Alcide Patenaude

BY FAX

(1) BUSINESS: Patenaude & Felix, APC 4545 Murphy Canyon Road, 3rd Floor, San Diego, CA 92123

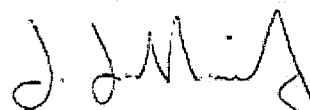
As enumerated below:

July 3, 2007 01:00 PM at address (1) above. Not in..
July 4, 2007 04:20 PM at address (1) above. Closed.
July 5, 2007 09:23 AM at address (1) above. Other. We sub-served Gloria Penaloze

Registered California process server.
County: SAN DIEGO
Registration No.: 1359
Expiration: October 19, 2007

Juan Madrigon
One Legal, Inc.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct and that this declaration was executed on July 10, 2007 at Los Angeles,



Juan Madrigon

Fred W Schwinn, 225575
CONSUMER LAW CENTER
12 S 1ST ST STE 416
SAN JOSE, CA 95113-2404

FILED BY: JWS
(408) 294-6100

ATTORNEY FOR (Name): Plaintiff

Ref. No. or File No.

Bankston v. Patenaude & Felix

Insert name of court, judicial district or branch court, if any:

United States District Court
280 S. First St. #2112
San Jose, CA 95113-3008

PLAINTIFF:

Patricia Claire Bankston

DEFENDANT:

Patenaude & Felix, APC, et al.

PROOF OF SERVICE BY MAIL

CASE NUMBER:

C07-03396-JW-PVT

I am a citizen of the United States, over the age of 18 and not a party to the within action. My business address is 504 Redwood Blvd #223, Novato, CA 94947.

On July 10, 2007, after substituted service under section CCP 415.20(a) or 415.20(b) or FRCIV.P 4(d)(1) was made, I mailed copies of the:

Summons In A Civil Case; Complaint; Order Setting Initial Case Management Conference and ADR Deadlines; Standing Order Regarding Case Management In Civil Cases; Contents of Joint Case Management Statement; ADR Package

BY FAX

to the person to be served at the place where the copies were left by placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at Los Angeles, California, addressed as follows:

Raymond Alcide Patenaude
4545 Murphy Canyon Road, 3rd Floor
San Diego, CA 92123


I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

\$: 85.75

Fee for Service:

Mirian Flores
One Legal, Inc.
504 Redwood Blvd #223
Novato, CA 94947

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct and that this declaration was executed on July 10, 2007 at Los Angeles, California.


Mirian Flores

ONE LEGAL, INC.**CONFIRMATION For Service of Process**

Date: 7/10/2007

ONE LEGAL, INC. CONFIRMATION FOR ORDER NO: 6643697

Customer CONSUMER LAW CENTER
 Customer No. 0055054
 Address 12 S 1ST ST STE 416
 SAN JOSE, CA 95113-2404

Attorney Fred W Schwinn
 Attorney e-mail fred.schwinn@sjconsumerlaw.com
 Contact Fred W Schwinn
 Contact e-mail fred.schwinn@sjconsumerlaw.com
 Contact Phone (408) 294-6100
 Contact Fax (408) 294-6190
 Law Firm File Number Bankston v. Patenaude & Felix

Case Information:

Case Number C07-03396-JW-PVT
 County SANTA CLARA
 Court Northern District of California
 Case Short Title Patricia Claire Bankston vs. Patenaude & Felix, APC, et al.

Documents Received:**No. Docs: 2 No. Pgs: 94**

Summons In A Civil Case; Complaint; Order Setting Initial Case Management Conference and ADR Deadlines; Standing Order Regarding Case Management In Civil Cases; Contents of Joint Case Management Statement; ADR Package

Party to Serve: Raymond Alcide Patenaude

Service address: 4545 Murphy Canyon Road 3rd Floor

This is a Confirmation Only. Not an Invoice!

Notes:	Services:	Summary of Charges:
Service Status: Served Faxed back: 7/10/2007	Standard Surcharge Declaration of Diligence Copies	44.00 20.00 10.00 11.75
	Check No.	Total: 85.75

Attached is your proof of service that is ready for filing in accordance with CRC2005. If you have any questions, you encounter any problems filing this document or would like One Legal to file the proof of service for you, please contact:

SOP Southern Branch, Ph: 213-617-1212, Fx: 213-617-4717

Thank you for choosing One Legal for your process serving needs.